

## **DISCLOSURE OF KRS 381.300 – ESCHEAT STATUTE**

The following is a disclosure of the nonresident alien escheat statute. Many real estate practitioners represent clients who may fall under this statute. Under Kentucky law, if a nonresident alien purchases real estate and then does not become a citizen within eight (8) years, the property could escheat to the state. Please review the statute so that you can be familiar with what it says. However, please do not try to advise a client on the enforceability or likelihood of enforceability of the statute.

I think it is advisable to provide any nonresident alien clients with a copy of this statute and refer them for legal counsel.

## **DISCLOSURE OF NONRESIDENT ALIEN ESCHEAT STATUTE**

By signing below, I acknowledge that my agent has given me a copy of KRS 381.300, the nonresident alien escheat statute, and has advised me to seek legal counsel prior to purchasing a piece of property in this state.

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date/Time

\_\_\_\_\_  
Agent

\_\_\_\_\_  
Date/Time

**381.300      Realty of nonresident alien liable to escheat after eight years unless he becomes a citizen.**

- (1) Except as otherwise provided in this chapter, the real estate of a nonresident alien may be escheated to the state at any time after the expiration of eight (8) years after the time he acquires title thereto.
- (2) Any alien who has purchased, or contract to purchase, any real estate, or who hold or has title thereto, and who becomes a citizen of the United States before the property is escheated, and any purchaser, lessee, heir, or devisee, from him, if a citizen of the United States, who becomes the owner thereof by purchase or inheritance before the property is escheated, shall take and hold the property free and released from any right or claim of the state by reason so such person's have been an alien.

Effective: July 13, 1984